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STATE OF NEW JERSEY
OFFICE OF ADMINISTRATIVE LAW
DOCKET NOS. HLTPA 00920-00S
02736-00S
02737-00S
06249-00S

MONOC,)
)
Petitioner,) Administrative Action
)
v.)
) SETTLEMENT AGREEMENT
DEPARTMENT OF HEALTH)
AND SENIOR SERVICES)
)
Respondent.)

This Settlement Agreement is entered into between MONOC and the Department of Health and Senior Services.

WHEREAS, on or about January 27, 2000 (OAL Docket No. 00920-00S), February 16, 2000 (OAL Docket No. 02736-00S), February 17, 2000 (OAL Docket No. 02737-00S), and June 29, 2000 (OAL Docket No. 06249-00S), the Department of Health and Senior Services issued proposed penalty letters against MONOC alleging violations of N.J.S.A. 26:2H-1 et seq. and N.J.A.C. 8:40-1.1 et seq., which

govern the licensure and survey of mobility assistance vehicles and ambulance service providers; and N.J.S.A. 26:2K-17 et seq. and N.J.A.C. 8:41-1.1 et seq., which govern the mobile intensive care programs; and

WHEREAS, pursuant to N.J.S.A. 26:2H-14; N.J.A.C. 8:40-2.14(b)(e)6; N.J.S.A. 26:2K-15 and N.J.A.C. 8:41-2.7(b), the Department of Health and Senior Services assessed proposed penalties totaling \$1400.00; and

WHEREAS, MONOC and the Department of Health and Senior Services have reached a settlement in the above captioned matter; and

WHEREAS, MONOC and the Department of Health and Senior Services desire to set forth their agreement to settle this matter here below;

NOW THEREFORE, MONOC and the Department of Health and Senior Services agree to settle this matter on the following terms:

1. The settlement agreement will be posted on the Department of Health and Senior Services' website.

2. The original penalty letters that were sent to MONOC are hereby reduced to warning letters.

3. The warning letters will be posted on the Department of Health and Senior Services' website for a duration of three (3) months. This settlement agreement will be attached as an addendum to the warning letters.

4. MONOC and the Department of Health and Senior Services agree that this Settlement is not intended as and does not constitute an admission of liability by MONOC.

5. MONOC and the Department of Health and Senior Services agree that this Settlement is intended to be a final resolution of all issues arising out of these matters.

6. MONOC, for itself and on behalf of its owners, insurers, agents, employees, heirs, executors, personal representatives, successors and assigns, agrees to the terms described in this Agreement, in final settlement of any and all claims it has or may have with respect to the adequacy or correctness of the violations listed in the warning letters dated January 27, 2000 (OAL Docket No. 00920-00S), February 16, 2000 (OAL Docket No. 02736-00S), February 17, 2000 (OAL Docket No. 02737-00S), and June 29, 2000 (OAL Docket No. 06249-00S), and releases the State of New Jersey and its Departments, officials, insurers, agents employees, heirs, executors, personal representatives, successors and assigns from all claims, demands, damages, causes of action or suits which have been, could have been or might have been made or prosecuted on account of any conduct of any party occurring at any time with respect to any pending or possible claim relating to the warning letters dated January 27, 2000 (OAL Docket No. 00920-00S), February 16, 2000 (OAL Docket No. 02736-00S), February 17, 2000 (OAL Docket No. 02737-00S), and June 29, 2000 (OAL Docket No. 06249-00S), and the warnings cited therein.

7. MONOC and the Department of Health and Senior Services hereby waive any claim for payment of counsel fees incurred in connection with this Settlement.

8. By their signature, each party signing this Settlement Agreement represents and warrants that they are authorized to execute this Agreement.

Date:



Vincent Robbins
President
MONOC
Petitioner

Date:

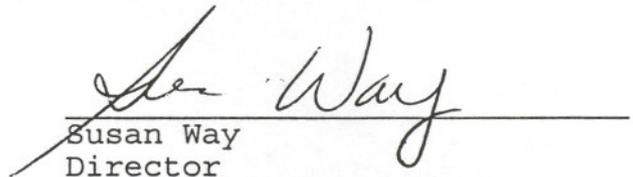
9/30/02



Morna Sweeney, Esq.
Attorney for Petitioner

Date:

11/18/02



Susan Way
Director
Office of Emergency Medical Service
Department of Health and Senior
Services

Date:

12/6/02



Douglas M. Alba, Melissa H. Rakusa
Deputy Attorney General
Attorney for Respondent